

Dated: 8/6/2020



UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE

In re

Capstone Pediatrics, PLLC,

Debtor.

Case No. 19-01971

Chapter 11

Judge Mashburn

**ORDER SETTING SCHEDULING CONFERENCE**  
**REGARDING MOTION TO COMPEL NEWTEK BUSINESS CREDIT**  
**TO REIMBURSE CARENATION FOR EMPLOYEE PAYROLL EXPENSES**

America Cares Trust d/b/a CareNation (“CareNation”) has filed a motion seeking to compel CDS Business Services, Inc. d/b/a Newtek Business Credit (“Newtek”) to reimburse CareNation for certain employee payroll expenses arising prior to the purchase of the Debtor’s assets. In view of the issues raised, the Court has concluded that a telephonic status/scheduling conference would be helpful before setting the motion for hearing.

The Court will conduct a telephonic conference at **9:30 a.m. on August 11, 2020**, utilizing the following call-in information: **Call-In Number: 888-363-4749; Access Code: 8979228#**. If the August 11, 2020, date is not convenient for counsel for CareNation and Newtek and they can agree on an alternative date on a regular Chapter 7/11 Tuesday motion docket, they may submit an agreed order setting the scheduling conference for a later date.

The purpose of the conference call will be to obtain input from counsel on the following matters:

- (a) The likelihood that this matter can be resolved without the necessity of a hearing;
- (b) If a hearing will be required, whether the issues are primarily legal issues or whether there will likely be significant disputed evidentiary matters;
- (c) Whether any discovery will be needed in advance of a hearing;
- (d) The timing of any hearing on the motion;
- (e) The number of witnesses, if any, that will need to testify at a hearing on this matter;
- (f) Whether briefing will be beneficial and, if so, the timing for the filing of any briefs;
- (g) Whether any parties other than CareNation and Newtek are likely to be interested in participating in the hearing;
- (h) Whether the hearing should be conducted by video or telephonic (assuming that in-person hearings are still unavailable at the time of a hearing); and
- (i) Any other matters pertinent to an efficient and economical resolution of the issues.

IT IS SO ORDERED.